

TRANSMITTAL SLIP		DATE 17 APR 1969
TO: Legislative Counsel <i>[Signature]</i>		
ROOM NO. 7D43	BUILDING Hqs <i>[Signature]</i>	
REMARKS: <p>LLM - are we interested in this?</p> <p><i>[Signature]</i> NO File <i>[Signature]</i></p>		
FROM: DD/S		
ROOM NO. 7D18	BUILDING Hqs	EXTENSION
FORM NO. 241 1 FEB 55 REPLACES FORM 36-8 WHICH MAY BE USED.		

(47)

SECRET

Executive Registry
69-2043

DD/S 69-1614

17 APR 1969

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT : Administrative Authorities -- Home Leave Eligibility

REFERENCE : Memo dtd 26 June 68 for Ex. Dir.-Compt. fr DD/S,
same subj (DD/S 68-2594)

1. This memorandum contains a recommendation for your approval in paragraph 2.

2. Last year we recommended, with concurrence of OGC, DD/P, DD/I, and DD/S&T, your approval of the adoption of provisions of the Foreign Service Act permitting the granting of home leave for overseas service less than 24 months. In discussion with the General Counsel and us you raised certain questions concerning the proposed position. This matter has been exhaustively reviewed and we again, with General Counsel concurrence, request your approval. The following points are believed pertinent to your further consideration:

a. A regulation change to specify 24 months as the Agency's normal overseas tour and to prescribe the procedure for establishing tours of different lengths between 18 and 36 months -- both for the first time -- is now being processed for publication following inter-Directorate agreement. No non-Agency authority is involved. (The Administrative Authorities Committee proposal on this point was in coordination with the other Deputy Directors when the reference was sent to you last year.) With the adoption of this change, it does not seem logical to deny an individual home leave after he completes a tour of duty prescribed in advance for him by the Agency. Exercise by you of the Director's statutory exceptional authority is necessary in order to avoid such denials whenever initial tours under 24 months are prescribed. It is contemplated that tours less than 24 months will be approved only on grounds of Agency interest -- operational, cover, health, and hazard.

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Approved For Release 2002/05/06 : CIA-RDP71B00364R000500020010-0

b. Adoption of the authority in the Foreign Service Act to grant home leave for overseas service less than 24 months would provide desirable additional flexibility dealing with present first tour problems where the return of individuals short of 24 months is in the Agency's interest -- evacuation, completion of assignment, reduction in staffing, or desire for the employee's service elsewhere. The shortfall to completion of 24 months often involves only a few days or weeks.

25X1C

d. Current CSC regulations are being interpreted to require 24 months overseas service on either an initial tour or a subsequent tour taken after an intervening PCS tour in the United States. Unless the Agency adopts the authority in the Foreign Service Act, in lieu of continued adherence to the Overseas Differentials and Allowances Act, the Agency would be faced with the problem of requiring 24 months as the minimum service period for all subsequent tours except those involving an immediate return overseas following the completion of home leave. Such a policy would introduce new rigidities into our overseas operations which should be averted.

3. Regulatory wording such as attached (which has not been through normal Agency coordination) is what we would propose to have published to implement this recommendation if approved by you.

SIGNED R. L. Eannerman

R. L. Eannerman
Deputy Director
for Support

Att

Proposed Revision to

25X1A

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SECRET

DD/S 69-1614

SUBJECT: Administrative Authorities -- Home Leave Eligibility

CONCURRENCE:

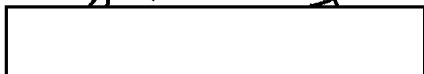
See Attached Memorandum

17 April 1969

General Counsel

Date

* The recommendation contained in paragraph 2 is approved *subject to my approval of the regulation before it is published.*



L. K. White

Executive Director-Comptroller

23 April 69
Date

ADD/S:JWC/ms (9 April 69)

Distribution:

Orig - Adse, w/Att (To be returned to DD/S -- Subject)

- 1 - ER, w/Att
- 1 - General Counsel, w/Att
- 1 - Legislative Counsel, w/Att
- 1 - DD/I, w/Att
- 1 - DD/P, w/Att
- 1 - DD/S&T, w/Att
- 1 - DD/S Chrono
- 1 - D/Pers

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Attachment to DD/S 69-1614

Proposed Revision to HR

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PERSONNEL

HR

25X1A

30. LEAVE.

b. CONDITIONS OF APPROVAL

(3) HOME LEAVE

(f) Home leave may be granted after completion by an employee of a tour of duty outside the United States prescribed in advance for him for the post of assignment. Exceptions may be granted by the Director of Personnel provided the employee has served at least 18 months in a foreign area, upon a certification in each case by the Deputy Director concerned that the exception is in the Agency's interest.

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OGC 69-0725

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17 April 1969

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT: Administrative Authorities--Home Leave
Eligibility

1. Based on the justification and circumstances set forth in the memorandum from the Deputy Director for Support, dated 17 April 1969, I believe the recommended action would be proper under the Director's approval to utilize the Agency's statutory authorities to adopt the administrative authorities of the Foreign Service Act set out in the joint memorandum from the Office of General Counsel and the Office of Legislative Counsel dated 23 August 1967.

2. Of particular note, since this matter was before you previously, is the more stringent interpretation of Civil Service Regulations regarding tours of less than 24 months after an initial 24-month tour. As the Deputy Director for Support notes, if there is an intervening PCS tour, a second tour would be treated as an initial tour thus requiring 24 months to gain eligibility for home leave. Obviously this decreases Agency flexibility and strengthens the justification for adopting the Foreign Service law as being necessary to carry out Agency functions.

s/

LAWRENCE R. HOUSTON
General Counsel

69-2043-22
MS 827

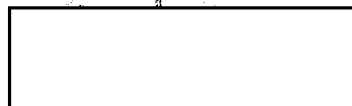
DD/S 69-1377

MEMORANDUM FOR: General Counsel
Legislative Counsel
Deputy Director for Intelligence
Deputy Director for Plans
Deputy Director for Science and Technology

SUBJECT : Administrative Authorities - Proposal 12

REFERENCE : DD/S 68-2265, dtd 26 June 1968, para. 3.i.

Following a further review of subject proposal (to liberalize procedure for approving per diem for family at TDY stops, up to 30 days, while en route to a PCS point), it has been determined that insufficient operational requirements exist pointing to the need for this change. Therefore, Proposal 12 has been disapproved.



R. L. Bannerman
Deputy Director
for Support

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cc: Director of Personnel
Director of Finance